

Interview Summary

Application No. 09/782,539	Applicant(s) Brotto et al.
Examiner Pia Tibbits	Group Art Unit 2838

All participants (applicant, applicant's representative, PTO personnel):

(1) Pia Tibbits

(3) _____

(2) Aidan Ayala

(4) _____

Date of Interview May 3, 2002

Type: a) Telephonic b) Video Conference
c) Personal [copy is given to 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No. If yes, brief description:

n/a

Claim(s) discussed: all

Identification of prior art discussed:

Wagner

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Attorney inquired why his appeal brief was not addressed, and he was answered that prosecution was reopened by issuing a new non-final rejection using the Wagner reference, cited before, and considered better art. Attorney reiterated that Wagner is not good prior art because it was patented after the present application's filing, and was answered that the patent date does not matter, the filing date is correct.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.